



CITY OF KANSAS CITY, MISSOURI REGULATIONS FOR TEMPORARY ENCROACHMENT OF BANNERS ON PUBLIC PROPERTY

Whenever an organization wishes to put up street banners advertising an event or activity it must first obtain the approval of the City of Kansas City, Missouri. Following, are the regulations that the City has established to ensure that street banner displays fall within acceptable boundaries governed by aesthetic and safety concerns and code regarding encroachments, pursuant to Section 64-161, Code of Ordinances.

TYPES OF BANNERS WHICH MAY BE HUNG:

The City permits two types of banners:

Event Banners, which are defined as a banner containing a sign or message regarding a public event or a season of celebration.

Neighborhood District Banners, which are defined as a banner containing a sign or message identifying the neighborhood district or association or educational institution within a neighborhood where they are located. Neighborhood district is defined as an area including multiple lots unified by defined geographic boundaries or a common purpose and which includes public streets including but not limited to Brookside, the Country Club Plaza, Crown Center, the Performing Art Center, the Downtown Loop, Westport, and any registered residential neighborhood.

No commercial advertising or “Products Advertising Banners” are allowed in the City right-of-way.

The City of Kansas City, Missouri permits vertical banners to be hung only along the sides of rights-of-way. The City prohibits the hanging of banners which span rights-of-way from one side to another.

Banners may be hung perpendicular or parallel to the curb.

APPROVED LOCATIONS FOR BANNERS:

The City recognizes the following classes of streets:

- Freeways
- Expressways
- Primary Arterials
- Secondary Arterials
- Collectors
- Local Streets
- Parkways/Boulevards

Banners may be permitted on City owned Primary Arterials, Secondary Arterials, Collector, and Local Streets.

No banners may be permitted on Freeways or Expressways.

Where a street is State of Missouri right-of-way, permission must be obtained from the Missouri Department of Transportation.

The display of banners on boulevards, parkways, streets or roads under the jurisdiction of the board of parks and recreation commissioners, in addition to compliance with all other regulations and conditions set forth here, shall require approval from the parks and recreation board.

SPECIFICATIONS FOR APPROVED BANNERS:

Banners must be installed so that they hang no lower than 16 feet above street level. The approved dimensions of the banner are 30 inches by 72 inches.

Larger banners may be requested subject to the following:

For larger banners at the discretion of the director, applicant shall furnish a wind load analysis, signed and sealed by a registered professional engineer of the State of Missouri, setting forth that the potential wind load on the pole for each proposed display for the total banners on each pole is within the design standards for the pole installation. The bottom of the banner may not be lower than 16 feet above street level.

Banners approved for installation must be constructed of weatherproof and flame-retardant material, preferably vinyl-coated nylon or a similar fabric. It is the responsibility of the organization installing banners to prevent the display of worn banners by replacing such worn banners with new banners, as needed, during the duration permitted.

The number and placement of banners shall limited as follows:

One banner bracket set per pole.

A maximum of 2 banners may be installed on a single bracket.

Banners shall not be placed closer than 200 feet from other banners except at intersections and those streets in Downtown Loop.

The director shall consider the following to determine whether or not to issue a banner permit:

- (1) Whether the applicant has met all requirements set forth in the banner regulations issued by the director.
- (2) Whether there are conflicts with city sponsored banners at a proposed location.

- (3) Whether there are conflicts with existing banner permits at a proposed location.
- (4) Whether the placement of banners will conflict with construction activities at a proposed location.

The director shall not to issue a banner permit for the following:

- (1) Display of Religious messages or symbols.
- (2) Advertising businesses, their products and/or services.

DURATION OF TIME BANNERS CAN BE DISPLAYED:

Event Banners, which are defined as a banner containing a sign or message regarding a public event or a season of celebration, are permitted to a maximum of one year, following approval of application. No permit shall be issued for a banner that contains a specific date for an event.

Neighborhood District, which are defined as a banner containing a sign or message identifying the neighborhood district or association or educational institution within a neighborhood where they are located, are permitted to a maximum of one year, following approval of application.

While the permit is in effect, a banner covered under the permit may be replaced with another banner of like size and in conformance of all requirements of the Banner Ordinance. The permittee shall notify the director 15 days prior to any such replacement.

If the process of installation, maintenance or removal of the banner will result in a disruption of traffic, then the applicant shall comply with all of the applicable regulations, and obtain such traffic control permits and pay any applicable fees for such permits.

Permits may be renewed, following approval application and payment of permit application fee and inspection fee.

In a situation in which one party desires to hang banners where another party already has a permit, general rule is a first come, first serve policy. Renewal applications are considered first come over new applications.

Upon expiration a banner permit may be renewed, following approval of an application and payment of the permit fees and compliance with all other requirements of the banner Ordinance. Unless otherwise approved by the director, upon expiration of a banner permit or renewal of such, banners and hanging brackets shall be removed by the permittee. During the permit period, damaged, deteriorated, or faded banners and unused banner brackets within a reasonable time after expiration of the banner permit or within reasonable time after notification by the City that a banner is damaged, deteriorated, or faded, then the City may remove the banners and brackets without notice. If costs of

such removal exceed the amount of the restoration deposit paid pursuant to Section 64-167 © (3) of the banner Ordinance, the City may charge the permittee the additional costs.

RESTORATION DEPOSIT:

As a condition for the issuance of a banner permit, the applicant shall furnish and maintain a restoration deposit under the provisions of this section, to be held by the city treasurer. The restoration deposit shall be in the amount of \$58.00 per pole per permit. Permits being renewed for the same banners on the same facilities shall use the same restoration deposit as the original permit. If the same applicant requests another permit for other banners on other facilities, the applicant shall furnish and maintain another restoration deposit. Upon satisfactory inspection of the removal and restoration of the City facilities upon which the banners were hung, and upon application, in writing, ~~stating the name and address of the applicant/permittee, the permit number, the date of~~ removal and restoration and a request for refund, the restoration deposit, less any amount used for removal or repairs, will be refunded to said applicant. If the banners are not removed within five days of the permits expiration, any costs associated with the city taking action to insure the banners removal will be charged against the restoration deposit. In order to keep fees as low as possible, it is the permittees responsibility to renew the permit each year or to remove the banners and brackets. The city is under no obligation to notify the permit holder prior to removal if the permit is allowed to expire. Furthermore, City is not responsible for the return of any removed banners and brackets to the permittee.

FEES:

Application Processing Fee: The current fee is \$58.00 per permit or renewal.

Inspection Fee: Event Banners - \$58 for the first pole and \$2.00 for each additional pole.

Neighborhood Association of a registered residential neighborhood Banners -- No inspection fee per Section 64-167(d) (3) of the banner Ordinance.

APPLICATION:

The application for permit for banners on public property is due in the offices of the Public Works Department, on 5th floor of City Hall thirty business days prior to the requested installation date for the banners.

The applicant must secure permission from the proper owner(s) or administer(s) of the poles the applicant wishes to use. To secure this permission the applicant must submit a

TEMPORARY ENCROACHMENT OF BANNERS ON PUBLIC PROPERTY
CONSENT FORM completed by the owner(s) or administer(s) of these poles.

Any banners to be placed on Parks Department Boulevards, Parkways, Streets or Roads require permission from the Department of Parks and Recreation. For encroachments on boulevards and parklands you must contact Mr. David Panek at 816-513-7606 (David.Panek@kcmo.org) for the requirements of the Parks and Recreation Department and to receive permission from them.

Any banners to be placed on Public Works administered roadways and City owned streetlights require permission from the Department of Public Works, Street Lighting Services Section. For encroachments on Public Works administered roads and City owned streetlights, you must contact Mr. Victor Pecina at 816-513-9868 (Victor.Pecina@kcmo.org) for the requirements of the Street lighting Services Section.

Kansas City Power & Light does not allow banners and brackets attached to power poles.

“KCPL does not allow banners on KCPL owned distribution poles.”(5/6/14)

Joe Steve
Contract Administrator
joe.steve@kcpl.com

Office - 816-245-3684

Any banners to be hung on the sides of buildings require permission from Development Services Permit Management. You may contact Jomy Johns at 816-513-1468.

The procedure for requesting a temporary encroachment in street right-of-way as required by Chapter 64 and Article V, Section 64-167 of the Code of ordinances is as follows:

Submit an application for permit with the following items:

- a. Color picture of the banner, or banners to be displayed.
- b. Details of appurtenances to be used to hang banners.
- c. One copy of a map or plan locating the poles upon which the banners are to be hung, showing street right-of-way lines. Accompany this with a list of the pole locations and pole numbers. The pole numbers are attached to each pole. Check these numbers against the pole IDs on the City’s Parcel Viewer at <http://gis.kcmogis.kc.lan/apps/parcelviewer>. On the “Layers” tab of the parcel viewer check the “Street Lights” Overlay. Navigate to the vicinity of the banner project and verify that the numbers on the Parcel Viewer match those on the poles in question. If there are any discrepancies contact Victor Pecina (816-531-9868) or Carolyn Atkins (816-513-9874) in the Public Works department to resolve the discrepancy.
- d. Submit an insurance certificate that meets the requirements shown on Exhibit “A”. The insurance must remain in force during permitted duration. If at any time the insurance expires or is cancelled, the permit is null and void and the banners are to be removed from public property. If a reasonable time lapses upon such expiration or cancellation, and the permittee has not removed the banners and brackets, the City may remove

them without notice. Upon removal, if costs of such removals exceed the amount of the restoration deposit paid, the City may charge the permittee the additional costs. Furthermore, City is not responsible for return of any removed banners and brackets to the permittee.

e. Permission, in the form of completed TEMPORARY ENCROACHMENT OF BANNERS ON PUBLIC PROPERTY CONSENT FORM(s), from the owners or administrators of all of the poles in question giving consent for the display of Banners from these poles.

f. Application fee.

The inspection fee and restoration fee are not due with application but must be submitted prior to issuance of the permit.

The total length of time for approval is approximately three (3) weeks. After which a permit will be issued for the installation of the banners.

The permission granted shall be construed as a permit and not a grant and may be revoked by the Director of Public Works at his/her discretion; upon revocation the permittee shall cause the removal of the facilities and the restoration of the area without expense to the City.

The application should be submitted to

Public Works Department
City of Kansas City, Missouri
414 East 12th Street, 5th Floor
Kansas City, Missouri 64106

Attention: Public Works Permit Section

Questions may be directed to Jerry Cook 816-513-2671

EXHIBIT A

In order to hold the City harmless from claims for bodily injury and for property damage arising out of the installation and duration of the banner encroachment, the permittee shall keep in force a policy of liability insurance in an amount not less than that required by Chapter 64 of the Code of Ordinances. In the event that ordinances are modified during the installation and/or duration of the banner encroachments, the insurance provided by the permittee shall be revised to conform to the modified requirements. If, at any time, the insurance is cancelled or allowed to expire the permittee shall remove said encroachments from the right-of-way. If a reasonable time lapses upon such cancellation or expiration, and the permittee has not removed the encroachments permitted, the City may remove them without notice.

To indemnify the City a Certificate of Insurance acknowledging a policy of General Liability Insurance must be provided.

Said insurance must have as the insured the name of the applicant/permittee, having the same address.

Said insurance must name the City of Kansas City, Missouri as additional insured.

Said certificate must show the City as the Certificate Holder.

Said certificate must show the policy number, effective date of the insurance and the expiration date of the insurance.

The limits of liability of the policy, as shown on the certificate, shall not be less than the following:

Personal Injury, each person: \$100,000.00

Personal Injury, each occurrence: \$300,000.00

Property Damage, each occurrence: \$50,000.00

Property Damage, aggregate: \$100,000.00

OR

Bodily Injury and Property Damage Combined: \$400,000.00

Said certificate must reflect that the City shall be given a positive 10 day notice of cancellation of the policy. (The notice must be in the offices of the Director of Public Works 10 days before the date of cancellation.)

The insurance sureties must meet the following requirements to be approved by the Director of Finance:

Have an acceptable A.M. Best rating of B+, V or better.

Have approval to do business in the State of Missouri.

Be listed in the Federal Register, Circular 570, latest revision.

Said certificate must have an original signature of the issuing agent.

A standard ACCORD certificate form, or the attached City form, is preferred. Other forms than these will be accepted as long as they contain the same information.

TEMPORARY ENCROACHMENT OF BANNERS ON PUBLIC PROPERTY CONSENT FORM

SUBJECT

This is a request for you to grant consent to the proposed temporary encroachment of banners on poles you own or administer in the public right of way to determine if there will be any conflicts with your facilities. This consent is one of several requirements that must be met before the Public Works Department of Kansas City, Missouri can issue permits to hang the banners. Banner permits are issued for a period of one year.

ENCROACHMENT TO BE PERMITTED

Type of Banner Permit (Neighborhood or Event): _____

Pole Numbers where the Banners to be hung: _____

_____ (X) See attached Map (required)

Comments: _____

APPLICANT

Name: _____ Organization: _____

Title: _____ Phone No. _____

Address: _____ e-mail: _____

POLE OWNER or ADMINISTRATOR

Organizational Owner or Administrator: _____

Name of Representative: _____ Phone No. _____

Address: _____ e-mail _____

Signature: _____ **Date:** _____



CITY OF KANSAS CITY, MISSOURI
APPLICATION FOR PERMIT
FOR BANNERS ON PUBLIC PROPERTY
PURSUANT TO CHAPTER 64 OF THE CODE OF ORDINANCES

Public Works Permit Group Manager,

The applicant, herein, desires to obtain a permit to place banners on City owned street light poles, as follows: ☐ NEW ☐ RENEWAL

Applicant: _____

Address: _____

City : _____, State: _____

Contact Person: _____

Phone: _____ Fax: _____

Name of Project: _____

General Location: _____

Requested installation date: _____

Requested removal date: _____

Installation Company: _____

I have read and understand the Regulations for Temporary Encroachment of Banners on Public Property. I understand this application may be approved or denied based upon current Codes and Regulations and submission of required information and permit fee at the time of submission..

Signature

Date

Return application (with attachments as required below) to the Public Works Permit Group, 5th Floor, City Hall, 414 East 12th Street, Kansas City, Missouri.

Submit the following with completed application:

1. Certificate of insurance that meets requirements of regulations.
2. Color Picture of the proposed banner.
3. Details of appurtenances to be used to hang banners.
4. One copy of the maps or plans showing the location of the poles upon which the banners are to be hung.
5. A list of the numbers of the poles being used.
6. Application processing fee of \$58.00.
7. Permission, in the form of completed TEMPORARY ENCROACHMENT OF BANNERS ON PUBLIC PROPERTY CONSENT FORM(S), from the owner(s) or administer(s) of all poles allowing the display of Banners from such poles.
8. Inspection fee and restoration deposit is due before permit will be issued.

This application is due thirty business days prior to requested installation date.